

EXHIBIT “H”

“Interview Of Sergeant Scott Peay”

(cited pages only)

Interview with Sergeant Daniel Scott Peay

11/26/2012

INTERVIEW WITH SERGEANT
DANIEL SCOTT PEAY

NOVEMBER 26, 2012

Present during conversation: Kevin Edwards
Chief Deputy
Morgan County Sheriff's Office

Julie Curtis
Investigator
Davis County Attorney's Office

John Herndon
Detective
Davis County Sheriff's Office

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1 mailbox that I passed but I had never seen the name of the
2 street. So somebody else communicated that. Those people
3 communicated where it came to an end and stuff.

4 When we had gone off the roadways, she pulled to the
5 right shoulder. And she had slowed down significantly. And I
6 thought okay this is coming to an end. At some point I
7 communicated over the radio that I wanted everybody to do a
8 high risk felony stop and not to rush the vehicle. And if
9 she--I didn't think she. I'm sure I said he because we still
10 didn't know. But I said if he runs, you know, we'll have to
11 deal with that. But, yeah, if he doesn't run, let's do a high
12 risk stop. Because I was concerned about everybody's safety.

13 That's when everything--you know, she had pulled to
14 the shoulder of the road. Christian and I at that time were--
15 became parallel because it was apparent it was coming to a
16 stop. And I fully expected her to just stop right there, from
17 what it looked like to me. But as I was ready to get out of my
18 vehicle--I was going to get out and use the front of my hood as
19 an engine block for cover--she turned in front of my truck.
20 And I angled my truck this way. She hit it and then she
21 stopped. That was the first time. That was when I realized
22 this was a female that we was dealing with, not a guy. And I
23 don't know why but that surprised me. I was a little bit
24 shocked that that's who we was dealing with.

25 At that point--she's here. It looks--I'm thinking

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1 we're going to come to a stop here. Somebody pulled up to my
2 left and--and I don't know if I remember them pulling up to my
3 left at the time or not, but I knew that she wasn't going to be
4 able to go around and keep going because there was a lot of
5 officers behind me that--you know, there was no way you could
6 have driven back there.

7 So I exited my truck and went to the back. My intent
8 was I was going to use--now that we had changed angles, my
9 truck was this way, I was going to get a little farther away
10 from her and instead use the back of my truck as cover and take
11 control of the incident. I had instructed Christian to be the
12 contact person with her prior to this coming to an end. I said
13 if you can you're the one that's going to give the commands.
14 He acknowledged that. And that's how we intended for that to
15 happen, but obviously it didn't go as planned.

16 When I come around the truck, at some point there I
17 realized that she had backed up and she was looking at me, and
18 something had really struck home with me and it had an
19 influence of how I pictured (inaudible). She had a look of
20 rage on her face. It was, at that second, it was directed at
21 me and I could see that in her face. She was looking at me.
22 There was this rage. She was being tough with the gear shift.
23 She was revving the engine. And it became apparent to me that
24 she was going to continue to flee. She was turning around and
25 she was going to use the truck as a weapon. She wasn't pinned

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1 in. She could have kept going off up the road. She could have
2 just stopped. But, no, she was turning. She was coming at us.
3 And there was no question in my mind when she came that she was
4 trying to hit me. And it wasn't my truck she was trying to
5 hit, she was looking at me and coming after me. I really can't
6 tell you how I missed that. I know I did. I know I
7 sidestepped or I did whatever it was and she hit my truck and
8 missed me. And I know I was justified to shoot at that time.
9 I didn't want to shoot. I didn't want it to end that way. I
10 was just hoping something else was going to happen.

11 She backed up. And I tried to communicate to her.
12 I, in my mind, I shouldn't have come out of cover, but I did.
13 I walked--I turned and tried to communicate with her. I'm
14 yelling at her. I think I was telling her to stop the truck
15 and to get out of the truck, or something along those lines.
16 But I was trying to communicate with her.

17 She changed her gaze from me over to Christian. I
18 can remember seeing Christian in my peripheral vision. At some
19 point, you know when all the (inaudible) came in, I lost sight
20 of him. But I knew that he had exited his truck and another
21 car, which turned out to be South Ogden. At the time I didn't
22 turn and look to see who it was. I knew there was another
23 vehicle there in the road right there. And I saw her look at
24 him, and she changed that rage from me to him and her total
25 focus was on him. She put it in gear. She revved up her

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1 engine and she came and she hit the front of that car, and I
2 think she hit Christian's truck too. And just like when she
3 came at him. The speeds weren't high here but the engine was
4 revving up and there was force there. And when she hit the
5 front of that car I was very concerned that I had waited too
6 long and that my brother had been hit. I didn't know if he had
7 or not. And after she hit it, I heard the force that she hit
8 it with and I was very concerned. I was very concerned that my
9 brother had been hit.

10 After she hit it, it still didn't stop. She was
11 revving her engine and she was applying force to the front of
12 the car. I didn't look over. You know, that's a tunnel vision
13 (inaudible). I was concerned that with her pushing on that
14 truck, that it was actually pushing into him and if he was
15 pinned between cars or what was going on at the time. I knew
16 there was no other action I could take. I couldn't run all the
17 way around the truck to her. I couldn't grab her. The windows
18 were up. I didn't want anybody to run up to the side of the
19 truck because I knew that she would be able to put it in gear
20 and run over (inaudible) them or do whatever it is. I just I
21 knew we couldn't do that. And when she was applying gas and I
22 could hear the engine revving, with all that had taken place,
23 that's when I decided that our lives were in jeopardy. She
24 wasn't backing down. And I was worried my brother was going to
25 die, and that's when I shot.

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